

FILED  
JAN 13 2010

2010 JAN 13 PM 4:40

**IN THE UNITED STATES DISTRICT COURT**

FOR THE DISTRICT OF MONTANA  
CLERK OF COURT  
BY \_\_\_\_\_  
DEPUTY CLERK

**FOR THE DISTRICT OF MONTANA**

**GREAT FALLS DIVISION**

CLIFFORD FORTUNE, JULIE  
FORTUNE, THEO. P. CRAWFORD,  
DIANNA CRAWFORD, ARLEY  
JOLLIFFE, DEWAYNE  
BLACKMAN, LARRY BROWN,  
MONTANA TRAIL VEHICLE  
RIDERS ASSN., CAPITAL TRAIL  
VEHICLE RIDERS ASSN.,  
MONTANAN'S FOR MULTIPLE  
USE,

Plaintiffs,

vs.

LESLIE THOMPSON, Lewis & Clark  
National Forest Supervisor; LESLIE  
WELDON, Regional Forester, Region  
One, an Agency of the UNITED  
STATES FOREST SERVICE,

Defendants.

No. CV-09-98-GF-SEH

**ORDER**

Upon the record made in open court on January 13, 2010,

ORDERED:

1. Plaintiffs' Motion for Preliminary Injunction Against Implementation of the Badger Two Medicine Travel Plan<sup>1</sup> is DENIED.


2. Defendants' Motion to Dismiss Claims 2 and 3 of Plaintiffs' Complaint<sup>2</sup> is GRANTED.

3. Defendants shall submit the Administrative Record to the Court on or before February 5, 2010.

4. Cross-Motions for Summary Judgment along with accompanying briefs shall be filed on or before March 5, 2010.

5. Responses to Cross-Motions for Summary Judgment shall be filed on or before March 19, 2010.

DATED this 13<sup>th</sup> day of January, 2010.

  
SAM E. HADDON  
United States District Judge

---

<sup>1</sup>Document No. 5.

<sup>2</sup>Document No. 17.